

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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IN RE:	:	
Vivian Woodbury	:	Chapter 13
	:	
Debtor	:	Case No.: 20-13995-amc

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**MOTION TO APPOINT DEBTOR'S DAUGHTER, DEANNA WOODBURY,  
AS NEXT FRIEND UNDER FEDERAL RULES OF BANKRUPTCY  
PROCEDURE NUMBER 1004.1**

Vivian Woodbury, by and through undersigned counsel, hereby moves this Honorable Court for a determination appointing her daughter, Deanna Woodbury, as the Debtor's "next friend" under Federal Rules of Bankruptcy Procedure Number 1004.1 and in support thereof avers as follows:

1. The instant Bankruptcy Matter was filed by the Debtor on October 6, 2020.
2. The instant Bankruptcy matter was filed for the purpose of the Debtor entering into a Chapter 13 repayment Plan to cure mortgage arrears on the Debtor's primary residence.
3. At the time of the initial Bankruptcy filing, Debtor believed she would be able to attend her Chapter 13 Meeting of Creditors and fully participate.
4. Unfortunately, she was deemed permanently immobile and homebound, due to multiple health conditions, after the case filing by her physicians. See Doctor's letter attached hereto, incorporated herein and labeled as **Exhibit "A."**
5. Thankfully, the Debtor's daughter, Deanna Woodbury has Power of Attorney and handles all of the Debtor's financial affairs.

6. Federal Rule of Bankruptcy Procedure 1.004.1 allows "a representative, including a general guardian, committee, conservator, or similar fiduciary," to file a voluntary Petition on behalf of an incompetent person.

7. The Debtor is currently physically and financially incompetent due to the aforementioned medical conditions stated in her doctor's letter.

8. The Debtor's daughter is able and willing, and in the best position to assist her mother through her Chapter 13 bankruptcy successfully.

**WHEREFORE**, The Movant, Vivian Woodbury respectfully requests that this Honorable Court grant the instant Motion to appoint her daughter, Deanna Woodbury as the Debtor' s next friend under Federal Rule of Bankruptcy Procedure Number 1004.1 and further requests a waiver of an instructional financial course required by 11 U.S.C. §109(h)(I), a waiver instructional course concerning personal financial management as required by 11 U.S.C. §727(a)(11) and a waiver of personal attendance of a meeting of creditors required by 11 U.S.C. §341(a).

Respectfully submitted,

Dated: November 25, 2020

*/s/ Brad J. Sadek, Esq.*  
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